

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

NORTHSIDE MANOR APARTMENTS, LTD,)	
)	
Plaintiff,)	
v.)	No. 09-2621-STA-dkv
)	
U.S. DEPARTMENT OF HOUSING AND)	
URBAN DEVELOPMENT, et al.)	
)	
Defendants.)	

ORDER OF DISMISSAL

Before the Court is Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction (D.E. # 15) filed on February 10, 2010. Plaintiff's response to the Motion was due on or before March 15, 2010. To date Plaintiffs has failed to respond.

According to Defendants' Motion, Plaintiff filed this case to enjoin the foreclosure sale of the Northside Manor Apartment complex. Plaintiff also sought a preliminary injunction. Shortly after filing suit, Plaintiff filed bankruptcy and consequently withdrew its motion for preliminary injunctive relief.

According to Defendants, Plaintiff's bankruptcy "achieved the injunctive relief sought in this action." Defendant further states that Plaintiff has found a buyer of the apartment complex, and the Bankruptcy Court has approved the sale, pending entry of a consent order. In support, Defendant has attached the docket sheet from the bankruptcy proceedings. Defendant argues that the case at bar is now moot, and as such the Court has lost subject matter jurisdiction. The Court agrees. Therefore, Plaintiff's case is dismissed for the reasons set forth in Defendant's

Motion.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE

Date: March 22nd, 2010.